

AFFIDAVIT

I, Donna Osborne, Postal Inspector, United States Postal Inspection Service, being duly sworn, do hereby depose and state:

I am a Postal Inspector with the United States Postal Inspection Service, and have been so employed for the past nine years with responsibilities including the investigation of violations of Title 18, United States Code, Section 2252, and activities relating to material involving visual depictions of minors involved in sexually explicit conduct.

On October 7, 2003, your affiant received information from Detective Kreissler, Blue Springs Police Department, relative to a subject by the name of BRIAN D. GNAVI, who had been following female children from the area middle and elementary schools. Gnavi's address was provided as xxxx xx xxx xxxxxx, Blue Springs, Missouri 64014.

Blue Springs Police Department records showed five written reports, representing more than five incidents, wherein BRIAN GNAVI is reported to be following or watching young girls, near his residence and/or area middle and elementary schools. In an additional report, GNAVI is accused of following an adult woman, but mentions to police, for no apparent reason, that he is aware of numerous children living and playing in the area.

Using an undercover name and address, your affiant mailed a letter to Gnavi on December 10, 2003, which advertised a list of illegal videos depicting minor children engaged in sexual conduct, as follows:

Salutations!

I have some awesome stuff for the discerning viewer – all your viewing desires can be met by my videos! Young ones fucking and sucking just for you.

I am always looking for like-minded people, people I share common interests with, and would like to send you my list. BUT beware, what I have – what I enjoy viewing – is rare, forbidden and ILLEGAL. I am looking to be very discreet and keep my private life PRIVATE. If you are not looking for young material, shred this letter.

I am being upfront with you. Since this stuff is illegal, you could get in serious trouble, so if you're just curious – shred this letter.

My main focus is to expand my collection of sexual videos of kids. I'll trade or sell any type video, but am most interested in videos of rape, shower and pets. NOTE: Young means under 15 – not some dolled up adult trying to pose as young like that crap on

the internet, and I have access to two young pussies, if you're wanting something special.

If you're interested in receiving one of my video lists, let me know. I would appreciate any letters you send me being discreet and in plain white envelopes marked CONFIDENTIAL – [under cover address] – and I'll do the same for anything I send you. NOTE: State that you are not any kind of law enforcement and I'll be glad to send you a list of videos.

I look forward to a long, mutually satisfying relationship while we expand our collections.

Sincerely,
JD Roget

On January 9, 2004, your affiant received a letter via US Mails from "BDG xxxx xx x^{xx}, Blue Springs, MO 64014", addressed to [under cover name and address], containing the following:

JD Roget, 12-22-03
I received your information in the mail. I am not involved with law enforcement in any way.
I was curious if with your video list you could maybe send any sample videos/or pics? Anything would be appreciated.
Sincerely,
BDG
2408 NW 4th
Blue Springs, MO 64014

On January 9, 2004, your affiant mailed a letter to "BDG xxxx xx x^{xx} St, Blue Springs, MO 64014" which again warned of the illegal and sexual nature of the videos and provided pricing for the same. Along with this letter, your affiant sent a listing of 11 child pornographic videos with title and description, including the following:

D8 - Girl, 12 years old, uses her finger to rub her hairless pussy, then masturbates, followed by her 8 year old sister who sucks her dad's cock and then masturbates him.

D6 - 8 year old boy and 10 year sister masturbate each other. She sucks his little cock, and he fucks her.

A16 - Boys and girls, pussy and cock all over the place. Two girls and two boys, 10-11 years old, jerking off, fingers in pussies, sucking, vibrator poking and fucking!

A19 - The neighbor girl, 13 year old virgin, comes over to visit an adult man. She sucks his cock, then he fucks her in her pussy for the first time!

A23 – Girl, 12 years old masturbating in her room, joined by adult delivery man who fucks her pussy.

S12 - Girl, about 12 years old slowly undresses, touches her body all over, and masturbates herself.

S20 – Girl, about 14 raped by adult male, sucking first, then cherry popping with a little anal sex to top it off.

On June 2, 2004, your affiant mailed a letter to “BDG 2408 NW 4th St, Blue Springs, MO 64014”, as follows:

Dear BDG,

6/2/04

I got your letter in Dec. and sent you a catalog without much thought. I don't send out something for nothing – been burned too many times. I will trade 1 for 1 on videos if you're interested in that, but can't do a free sample.

JD Roget

Search Warrant

On December 20, 2004, your affiant received a letter sent via US Mails from “BDG xxxx xx x^{xx}, Blue Springs, MO 64014”, in which a sample from any of the videos detailed in paragraph number 11 above is requested as proof that [under cover name] is not law enforcement, as follows:

11-25-04

Dear JD Roget,

I received your information & it was interesting but having been around the block I asked for a sample. You sent me a letter saying you've been burned too many times & I understand, But I send money for product & your 5-0s, po-po, pig in a blanket & I have a case I do not need. Surley you could send a still photo or something so I could safely purchase these videos w/o worrying I'm set up. Please do this as I am interested in these videos – D-8, D-6, A16, A19, A23, S12, & S20. If you are on the up & up you could do this to make these sells. If I get an excuse or don't hear from you I will assume you are a pig trying to set me up. I have friends interested in these also. Money in your pocket & we all benefit. I look forward to hearing from you. I do appreciate this. I hate cops so I must have these precautions.

Thanks, BDG

On December 21, 2004, your affiant prepared a letter to “BDG xxxx xx x^{xx} St, Blue Springs, MO 64014”, which was delivered via US Mails on 12/21/2004, containing the following:

Dear BDG,

12/15/04

I do understand your desire to avoid the cops, and I appreciate your precaution because it protects me too. I don't normally send samples because folks take them & don't order or worse yet sell them on the internet. So heres the deal I propose, I am making a tape with a few minutes from 3 of the videos you chose - D6, A16 & one of my personal favorites A19. It will take me 1 maybe 2 days so expect your video right after this letter. I buy my tapes in quantity so the expense is just time and postage. I propose that you send me \$10 after you get the tape to help with the postage. I'll track the # of the pkg to be sure it makes it ok. (Be sure to let me know what you think right away) I like that you are sharing my list with others, but hope you are being careful with your choice of friends. If you all order, then you are right, we'll all be happy.

JD Roget

On December 22, 2004, a controlled delivery was made via U.S. Mail of Express Mail parcel ER399132855US containing the child pornographic video tape Brian D. Gnavi requested be delivered to his residence at xxxx xx x^{xx} St., Blue Springs, Missouri 64014. Your affiant viewed this video tape in its entirety and found that it depicts children under the age of 18 years engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256. The video tape was marked by your affiant for future identification. Using identification marks applied by your affiant prior to delivery, this tape was identified and recovered during the execution of federal search warrant 04-SW-120 at xxxx xx x^{xx} St., Blue Springs, Missouri 64014.

In addition to the unopened controlled delivery parcel with the child pornographic video tape, which had been placed in the living room, your affiant seized a pornographic magazine, titled "Barely 18," from under Gnavi's bed where the last three letters mailed to him from JD Roget were concealed: the January 9, 2004 letter with a list of 11 child pornographic video tapes, the June 2, 2004 letter, and the December 21, 2004 letter.

During the search your affiant viewed, in Gnavi's room, books containing pictures of naked children, primarily girls, and a collection of pictures in and from magazines, catalogs, and newspapers, primarily minor females in underwear and swimsuits, all of which Gnavi stated he used for sexual arousal and to facilitate masturbation. Your affiant reviewed approximately eight video tapes from Gnavi's room which showed recorded television programming having to do with little girls: news reports about little girls, dance recitals of little girls, a kids' program, called "Endurance," and a little girls' beauty pageant. Before these tapes would be played, Gnavi would say things like, "this one will be a problem" and "I know it is wrong to look at little girls" and he would ask if the footage was illegal even though it came from the television. When asked why he recorded the footage, Gnavi stated that he recorded the little girls for the same reason he cut out pictures and collected the books with naked pictures: he used the videos for sexual arousal and to facilitate masturbation.

On March 2, 2005, your affiant received information from Blue Springs Police Department relative to additional incidents of Gnavi following minor girls. A February 25, 2005, report relates Gnavi following and watching a 14-year-old female living near his residence. The victim reported Gnavi sitting on the street near her residence, near her school and at public locations frequented by she and her friends. A March 1, 2005, report indicates Gnavi following this same victim. In each of these instances the vehicle description matched that of Gnavi's and the license plate was registered to Gnavi's father. On March 8, 2005, the victim in these incidents viewed a photo-lineup from which she identified Gnavi as the man following her.

On April 14, 2005, your affiant received information from Blue Springs Police Department relative to another incident wherein Brian Gnavi was following a 16-year-old girl as she ran in a neighborhood near his own. The victim identified Gnavi's vehicle and picked Gnavi from a photo line-up as the man following her.

On April 20, 2005, your affiant received information from Blue Springs Police Department relative to an incident wherein Brian Gnavi attempted to coax a 14-year-old girl into his vehicle.

Dated: April 25, 2004

Donna G. Osborne
United States Postal Inspector

Subscribed and sworn before me this 25th day of April 2005.

John T. Maughmer
Chief United States Magistrate Judge